

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 246**  
**93RD GENERAL ASSEMBLY**

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Reported from the Special Committee on Urban Issues April 12, 2005 with recommendation that House Committee Substitute for Senate Committee Substitute for Senate Bill No. 246 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

1129L.05C

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**AN ACT**

To repeal section 249.255, RSMo, and to enact in lieu thereof four new sections relating to sewer systems.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 249.255, RSMo, is repealed and four new sections enacted in lieu thereof, to be known as sections 249.255, 644.584, 644.585, and 644.586, to read as follows:

249.255. 1. [Should a public sewer district created and organized pursuant to constitutional or statutory authority place a lien upon a customer's property for unpaid sewer charges, the lien shall have priority as and be enforced in the same manner as taxes levied for state and county purposes.] **Sewer charges, including both sanitary and stormwater charges, of a public sewer district created and organized under constitutional or statutory authority shall constitute a lien upon a customer's property if the customer fails to pay said user charges when due. The lien shall have priority as and be enforced in the same manner as taxes levied for state and county purposes. The secretary-treasurer of the public sewer district shall certify charges greater than one year but not more than five years, together with any interest and late charges to the collector of revenue of any city not within a county or any county with a charter form of government and with more than one million inhabitants as determined by the location of the subject property. Solely for**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

collection purposes the certified sewer charges shall be placed upon the real property tax bill for the property served by the sewer connection. The collector of revenue of any city not within a county or any county with a charter form of government and with more than one million inhabitants with jurisdiction over the subject property shall accept payment of the real property tax bill. The lien shall be released within a time period consistent with the processing procedures used by the respective collection authority. All moneys collected as sewer charges, including interest and associated late charges fixed or established in accordance with this subsection shall be kept in a separate and distinct fund established to the credit of the public sewer district. The public sewer district shall reimburse the appropriate government agency for direct and indirect costs associated with the collections process under this subsection, as agreed to by both the public sewer district and each respective government agency. The provisions of this subsection shall only apply to any city not within a county or any county with a charter form of government and with more than one million inhabitants.

2. Should the sewer charges of a public sewer district created and organized pursuant to constitutional or statutory authority remain unpaid for a period in excess of three months, the district, after notice to the customer by certified mail, shall have the authority at its discretion to disconnect the customer's sewer line from the district's line or request any private water company, public water supply district, or any municipality supplying water to the premises to discontinue service to the customer until such time as the sewer charges and all related costs of this section are paid.

**644.584.** In addition to those sums authorized prior to August 28, 2006, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.

**644.585.** In addition to those sums authorized prior to August 28, 2006, the board of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.

**644.586.** In addition to those sums authorized prior to August 28, 2006, the board of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.